

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Christopher Anderson	Team: Squad #12	CCRB Case #: 202003531	<input checked="" type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input checked="" type="checkbox"/> Injury
Incident Date(s) Friday, 05/15/2020 12:00 AM, Friday, 05/15/2020 4:12 PM	Location of Incident: § 87(2)(b) En route to § 87(2)(b)	Precinct: 101	18 Mo. SOL 11/15/2021	EO SOL 5/4/2022	
Date/Time CV Reported Tue, 05/19/2020 2:33 AM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Tue, 05/26/2020 9:42 AM		

Complainant/Victim	Type	Home Address
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)

Witness(es)	Home Address
§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)

Subject Officer(s)	Shield	TaxID	Command
1. POM Kevin Butler	06563	964411	101 PCT
2. POM Jose Villalba	22742	953530	101 PCT
3. SGT Jeffrey Thompson	05178	955577	101 PCT
4. An officer			

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Javier Rios	20224	952167	101 PCT
2. POM Rawle Persad	19414	951047	101 PCT
3. POM John Backer	04598	956405	101 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Kevin Butler	Force: At § 87(2)(b) in Queens, Police Officer Kevin Butler used physical force against § 87(2)(b)	§ 87(2)(b)
B.POM Jose Villalba	Force: At § 87(2)(b) in Queens, Police Officer Jose Villalba used physical force against § 87(2)(b)	§ 87(2)(b)
C. An officer	Force: At § 87(2)(b) in Queens, an officer used physical force against § 87(2)(b)	§ 87(2)(b)
D.POM Kevin Butler	Force: Police Officer Kevin Butler used physical force against § 87(2)(b)	§ 87(2)(b)
E. An officer	Force: At § 87(2)(b) in Queens, an officer hit § 87(2)(b) against the ground.	§ 87(2)(b)
F. An officer	Force: At § 87(2)(b) in Queens, an officer restricted § 87(2)(b) breathing.	§ 87(2)(b)
G.SGT Jeffrey Thompson	Abuse: At § 87(2)(b) in Queens, Sergeant Jeffrey Thompson forcibly removed § 87(2)(b) to the hospital.	§ 87(2)(b)

Officer(s)	Allegation	Investigator Recommendation
H.POM Kevin Butler	Discourtesy: En route § 87(2)(b) in Queens, Police Officer Kevin Butler spoke discourteously to § 87(2)(b)	

## Case Summary

On May 19, 2020, § 87(2)(b) called the Internal Affairs Bureau to file this complaint on behalf of § 87(2)(b). § 87(2)(b) was a non-witnessing complainant. The CCRB received the complaint from IAB on May 26, 2020.

On May 15, 2020, at approximately 4:12 p.m., § 87(2)(b) § 87(2)(b) mother, called 911, stating that § 87(2)(b) was “acting violent.” Multiple officers, including PO Kevin Butler, PO Jose Villalba, PO Javier Rios, PO Rawle Persad, PO John Backer, and Sgt. Jeffrey Thompson, all of the 101<sup>st</sup> Precinct, responded to the call at § 87(2)(b) in Queens. After § 87(2)(b) son, § 87(2)(b) let officers into the apartment, PO Butler, PO Villalba, and PO Rios used physical force to prevent § 87(2)(b) from jumping out of her second-story window (**Allegations A: Force, § 87(2)(g)** (**Allegations B: Force, § 87(2)(g)** (**Allegations C: Force, § 87(2)(g)** PO Butler then punched § 87(2)(b) in the head (**Allegation D: Force, § 87(2)(g)** An unidentified officer slammed § 87(2)(b) head into the ground (**Allegation E: Force, § 87(2)(g)** and restricted her breathing (**Allegation F: Force, § 87(2)(g)** § 87(2)(b) was forcibly removed to § 87(2)(b) in Queens (**Allegation G: Abuse of Authority, § 87(2)(g)**

While en route to § 87(2)(b) PO Butler spoke discourteously to § 87(2)(b) (**Allegation H: Discourtesy, § 87(2)(g)**

§ 87(2)(b) was not arrested or issued a summons as a result of this incident.

Body-Worn Camera (BWC) footage recorded by officers was provided to the CCRB by the NYPD’s Legal Bureau (Board Review 01 through 10), and the footage was summarized (Board Review 11 through 20).

## Findings and Recommendations

**Allegation (A) Force: At § 87(2)(b) in Queens, Police Officer Kevin Butler used physical force against § 87(2)(b)**

**Allegation (B) Force: At § 87(2)(b) in Queens, Police Officer Jose Villalba used physical force against § 87(2)(b)**

**Allegation (C) Force: At § 87(2)(b) in Queens, officers used physical force against § 87(2)(b)**

It is undisputed that on May 15, 2020, at approximately 4:12 p.m., multiple officers responded to a 911 call related to an emotionally disturbed person at § 87(2)(b) in Queens and subsequently pulled her body away from a window.

§ 87(2)(b) stated to the CCRB (Board Review 21) that, at the time of this incident, she was a visitor at the above location, where § 87(2)(b) and § 87(2)(b) resided. § 87(2)(b) took over-the-counter, non-prescription medication and had an adverse response to it. The medicine caused her to become dazed, “out of it,” and not herself. § 87(2)(b) called 911, and multiple officers came to the residence. § 87(2)(b) thought that she recognized some officers from a previous encounter. She stated that she chose to open a window in the apartment and leap from it. She heard one officer say that they had dealt with her in the past and that she was strong. Officers she could not describe took hold of § 87(2)(b) body and attempted to pull her back into the interior of the apartment. § 87(2)(b) held on to the windowsill with both hands to prevent the officers from pulling her into the apartment. The officers continued to pull § 87(2)(b)

§ 87(2)(b) ultimately released the windowsill, causing her to slam stomach-first onto the floor of the apartment. § 87(2)(b) did not report that she sustained any injuries as a result of these actions.

On May 15, 2020, prior to the arrival of officers, § 87(2)(b) called 911 (Board Review 37-38; Board Review 24). In the 911 call, § 87(2)(b) stated that § 87(2)(b) had “snapped,” was “crazy,” and had tried to jump out of a window on the second floor of § 87(2)(b) in Queens. § 87(2)(b) stated that § 87(2)(b) was “acting violent,” was “very strong,” and had broken the window out of its frame. § 87(2)(b) stated that § 87(2)(b) was under the influence of drugs and alcohol.

§ 87(2)(b) provided a statement to the CCRB (Board Review 22). In this statement, § 87(2)(b) stated that she called 911 because § 87(2)(b) had experienced a “mental breakdown,” had experienced similar incidents in the past, and seemed as if she might harm § 87(2)(b) though she did not specify how. § 87(2)(b) also called § 87(2)(b) and requested that he come to the location; he did so, and officers arrived after this. At that time, § 87(2)(b) took hold of metal bars on a window and moved about half of her body out it in what § 87(2)(b) thought was an attempt to leap from the window. Officers pulled § 87(2)(b) body back into the apartment.

In a telephone statement to the CCRB, § 87(2)(b) stated (Board Review 23) that on the morning of this incident, § 87(2)(b) had “acted strangely” in that she paced around the apartment and did not respond to questions about whether she was alright. § 87(2)(b) was “doing some weird shit,” though he did not specify what he meant by this. § 87(2)(b) later called 911.

PO Villalba provided a statement to the CCRB (Board Review 25). In PO Villalba’s CCRB statement, he confirmed that officers responded to the incident location due to a call for an emotionally disturbed person. PO Villalba and other officers entered the apartment, where there was a window that had previously been broken. § 87(2)(b) moved towards the window despite officer instructions to refrain from doing so. PO Villalba believed that § 87(2)(b) was intoxicated due to the nature of the call, § 87(2)(b) mannerisms, and § 87(2)(b) refusal to comply with officer instructions. § 87(2)(b) moved in a manner that PO Villalba thought was her attempt to leap from the broken window. PO Villalba and PO Butler took hold of § 87(2)(b) with PO Villalba intending to pull her away from the window. During this process, PO Villalba partially exited the window. Unidentified officers pulled PO Villalba into the apartment, and brought § 87(2)(b) into the residence.

PO Butler provided a statement to the CCRB that was similar to that of PO Villalba (Board Review 26). PO Butler stated that § 87(2)(b) took hold of the window and broke a pane of the window in a manner that he believed was an attempt to leap from the window. PO Butler and PO Jose Villalba took hold of § 87(2)(b) and pulled her away from the window. During this process, parts of PO Villalba’s body were outside of the window. Unidentified officers moved § 87(2)(b) body and PO Villalba’s body back into the apartment exterior.

The Threat, Resistance, or Injury (TRI) Report prepared in relation to this incident notes that PO Butler, PO Villalba, and PO Rios all participated in the process of pulling § 87(2)(b) away from the window.

The investigation obtained BWC footage files depicting this incident. The footage is attached to Board Review 01 – Board Review 10; summaries in Board Review 11 – Board Review 20. The BWC footage of PO Villalba (Board Review 04; Board Review 11) only partly depicts the

interaction, but contains the clearest view of this allegation. In PO Villalba's BWC footage, starting at the 01m20s mark, § 87(2)(b) is depicted seated on a sofa. She tells the officers in the apartment, "She's very strong." At 01m28s, an officer's arm reaches for § 87(2)(b) but § 87(2)(b) pulls her arm out of the officer's grip. § 87(2)(b) stands on the windowsill and places a leg outside of the exterior windows. PO Villalba's grabs ahold of § 87(2)(b). The view from PO Villalba's camera is obscured by a camera and sheer window curtain. However, § 87(2)(b) can be seen attempting to exit the window and holding on to the window while officers grasp § 87(2)(b) torso and pull away from the window. At 01m39s, the camera's view clears. Uniformed officers can be seen pulling § 87(2)(b) away from the window into the apartment.

The BWC footage of PO Rios (Board Review 03; summarized in Board Review 17) and PO Backer (Board Review 01; summarized in Board Review 17) show that they enter the residence behind PO Villalba and PO Butler. The officers run to § 87(2)(b) as she attempts to exit the window, but the specific actions of the officers cannot be discerned.

The investigation obtained witness statements from EMT § 87(2)(b) (Board Review 27) and EMT § 87(2)(b) (Board Review 28) who responded to the incident location. Both emergency medical technicians informed the CCRB that they did not witness officers moving § 87(2)(b) from the window area.

NYPD Patrol Guide Procedure 221-01 states that "force may be used when it is reasonable to ensure the safety of a member of the service or a third person, or otherwise protect life, or when it is reasonable to place a person in custody or prevent escape from custody" (Board Review 29).

Patrol Guide Procedure 221-13 states that while dealing with an emotionally disturbed person who presents an immediate threat of serious injury or death to herself or others, officers are to use reasonable measures to terminate the behavior (Board Review 30).

The accounts provided by § 87(2)(b) and by officers agree that § 87(2)(b) attempted to leap from a window in the presence of the officers, and this account of her behavior is corroborated by BWC footage and other documentation. In so doing, § 87(2)(b) engaged in behavior that resented an immediate threat of serious injury or death to herself. Under Patrol Guide Procedure 221-13, officers were obligated to use reasonable measures to terminate § 87(2)(b) behavior. Under Procedure 221-01, officers were permitted to use a reasonable amount of force to protect the life of § 87(2)(b). As per the BWC and officer statements, the officers' actions were limited to grabbing § 87(2)(b) body and pulling it inside the apartment and away from the window to prevent her from successfully jumping from the window. § 87(2)(g)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

**Allegation (D) Force: At § 87(2)(b) in Queens, Police Officer Kevin Butler used physical force against § 87(2)(b)**

In her statement to the CCRB, § 87(2)(b) reported that while she lay face-down on the ground, an officer she did not describe struck her in the head, causing a laceration near her eye.

In his brief telephone statement to the CCRB, § 87(2)(b) stated that after § 87(2)(b) attempted to exit the window, she hung on to the windowsill and officers pulled on her. This

pressure caused the windowsill to break. § 87(2)(b) remained standing and officers tried to get § 87(2)(b) to the ground. An officer identified by the investigation as PO Butler punched § 87(2)(b) at least twice in the face. The officers then “slammed” § 87(2)(b) which ne explained meant that the officers fell on top of her.

§ 87(2)(b) stated that she could not see all that occurred while officers restrained § 87(2)(b) and she did not see any officer punch § 87(2)(b).

A review of the officers’ BWC footage did not reveal any footage that depicted any officer punching § 87(2)(b) as alleged (Board Review 01 – Board Review 10; summaries in Board Review 11 – Board Review 20). The BWCs of both PO Butler (Board Review 02; summary in Board Review 18) and PO Villalba (Board Review 04; summarized in Board Review 11) both show that their cameras fell from their bodies during the process of moving § 87(2)(b) to the ground. The two other officers who were in close proximity to § 87(2)(b) as she was being restrained by officers immediately after being moved from the window – Officer Rios and Officer Backer recorded footage that did not depict PO Butler punching § 87(2)(b). The footage of PO Backer (Board Review 01; summarized in Board Review 20) depicts part of the struggle with § 87(2)(b) inside the apartment starting at 01m44s in the recording. However, the video does not clearly depict the struggle with § 87(2)(b). At 02m01s, § 87(2)(b) is depicted on her stomach with her hands behind her back.

Sergeant Jeffrey Thompson completed Threat, Resistance, Injury Report number § 87(2)(b) in regards to the force used against § 87(2)(b) (Board Review 35). The TRI report notes that force was used against § 87(2)(b) by Officer PO Butler, PO Villalba, and PO Rios. The details of the incident note that “At [time and place of occurrence], officers responded to an [emotionally disturbed person] in a residential apartment. Upon arrival, officers witnessed subject § 87(2)(b) run toward an apartment window and attempt to jump out. Officer Villalba, Officer Butler, and Officer Rios were able to grab the subject before she was able to jump. Subject actively resisted by kicking and swinging her arms. Afte ra brief struggle, officers were able to use a forcible takedown and Officer Butler did strike the subject in the head in order to gain compliance. Subject did sustain a minor contusion to her right eye. Subject was treated by EMS and transported to § 87(2)(b) for psychological evaluation.”

In his statement to the CCRB, PO Butler stated that after officers were able to move § 87(2)(b) body and PO Villalba’s body back into the apartment, PO Butler and PO Villalba attempted to physically restrain § 87(2)(b) who flailed her arms and hands and “threw her body about,” by attempting to take hold of § 87(2)(b) arms. PO Butler thought it was necessary to restrain § 87(2)(b) because she had posed numerous physical threats: a threat to herself as indicated by her previous attempt to leap from a window, a threat to PO Butler and PO Backer by flailing her arms and body, and a threat to the apartment occupants by causing broken glass to enter the apartment and taking unpredictable actions. PO Butler did not observe any other threats posed by § 87(2)(b). PO Butler acknowledged using a hand strike against § 87(2)(b). PO Butler stated that the intent was to combat her aggression, which consisted of her flailing her arms and body and not permitting officers to restrain her. PO Butler aimed a closed fist at § 87(2)(b) upper chest, and he did not know where on § 87(2)(b) body this punch made contact. During his CCRB statement, PO Butler was presented with a Threat, Resistance or Injury Report he prepared regarding this incident. The TRI Report noted that PO Butler struck § 87(2)(b) in the head. After viewing the TRI Report, PO Butler stated that he later learned that he had struck § 87(2)(b) in the head. PO Butler stated that he had not intended to strike § 87(2)(b) in the head.

Because PO Butler affirmed that he struck § 87(2)(b) with a closed fist, because the TRI report notes that PO Butler struck § 87(2)(b) in the head in the head, and because this evidence largely corroborates the testimony of § 87(2)(b) the investigation determined that PO Butler did indeed strike § 87(2)(b) in the head at least once.

As noted above under Allegations A-C, Patrol Guide Procedure 221-01 governs the use of force and notes that when officers use force, their force must be reasonable. The procedure provides the following factors in assessing reasonableness:

- a) The nature and severity of the crime / circumstances
- b) Actions taken by the subject
- c) Duration of the action
- d) Immediacy of the perceived threat or harm to the subject, members of the service, and / or bystanders
- e) Whether the subject is actively resisting custody
- f) Whether the subject is attempting to evade arrest by flight
- g) Number of subjects in comparison to the number of MOS
- h) Size, age, and condition of subject in comparison to the MOS
- i) Subject's violent history, if known
- j) Presence of hostile crowd or agitators
- k) Subject apparently under the influence of a stimulant / narcotic which would affect pain tolerance or increase the likelihood of violence

While the investigation concluded that PO Butler struck § 87(2)(b) in the head, there were several important factors that could not be determined. Namely, the investigation was unable to determine what, if anything, § 87(2)(b) was doing at the time PO Butler used force against her. § 87(2)(b) reported that she was face-down on the ground at the time force was used, while § 87(2)(b) reported that she was standing up and refusing officers' attempts to get her on the ground. § 87(2)(b) the second witness, did not report that she observed this use of force. PO Butler stated that at the time he struck § 87(2)(b) he did so because she was flailing her arms and body and not permitting officers to restrain her. Additionally, the investigation could not confirm PO Butler's assertion that he intended to strike § 87(2)(b) upper chest in the absence of BWC footage.

§ 87(2)(g)

§ 87(2)(g)

All parties agree that the officers were called to the location because § 87(2)(b) was experiencing a mental health crisis. No one provided testimony that § 87(2)(b) had committed any criminal act; instead, the police were at the residence to render aid and to assist in her transport to a hospital for psychiatric evaluation. This would seem to preclude that officers should subject § 87(2)(b) to a significant amount of force unless absolutely necessary to prevent her from injuring herself or otherwise accomplish the goal of obtaining the requested medical attention. § 87(2)(b) was, by all accounts resisting efforts to take her into custody. PO Butler reported that she was flailing her arms and body, and that these actions caused a potential harm to the officers due to the possibility of being struck with § 87(2)(b) limbs or to the

civilians in the apartment due to the broken glass and the unpredictability of § 87(2)(b) actions. § 87(2)(g)

Further, there were several officers participating in the attempt to restrain § 87(2)(b) putting the officers at a numerical advantage in their efforts to overcome her resistance. While all parties agree that § 87(2)(b) was under the influence of unknown intoxicants as per the testimony in Allegations A-C, PO Butler did not assert that he had any contemporaneous knowledge about the specific intoxicants § 87(2)(b) had consumed or that he had any indication that her intoxication level had potentially impacted her pain tolerance level. This assessment would seem to indicate that PO Butler's decision to strike § 87(2)(b) with a fist – regardless of whether the blow landed on her chest as PO Butler stated he intended to do, or whether the blow landed on her head causing injury, as it did in actuality § 87(2)(g)

**Allegation (E) Force: At § 87(2)(b) in Queens, an officer hit § 87(2)(b) against the ground.**

**Allegation (F) Force: At § 87(2)(b) in Queens, an officer restricted § 87(2)(b) breathing.**

§ 87(2)(b) stated that while she was face-down on the ground, an officer she did not describe struck her head against the ground; she did not report that she sustained any injuries as a result of this use of force. § 87(2)(b) also alleged that an officer restricted her breathing by applying pressure to her torso.

Both § 87(2)(b) and § 87(2)(b) stated that they were unable to see most of the actions officers took while § 87(2)(b) was on the ground beyond their generally restraining her. Neither § 87(2)(b) nor § 87(2)(b) attested to any officer striking § 87(2)(b) head against the ground or using a chokehold against § 87(2)(b) and neither § 87(2)(b) nor § 87(2)(b) saw this occur. § 87(2)(b) stated that had an officer restricted § 87(2)(b) breathing, she would have instructed them to cease doing so and had made such an instruction previously in her duties.

No officer interviewed acknowledged taking such actions or seeing an officer do so.

As noted in the discussion of Allegation A through Allegation D, while the investigation obtained BWC footage that covers the time period when the alleged uses of force occurred, the footage does not clearly depict all of the actions taken by officers or by § 87(2)(b). In the footage PO Villalba recorded, the process of restraint lasts approximately 25 minutes, being first most clearly visible at the 02m28s mark when PO Villalba retrieves his BWC from the floor. At 02m33s, an officer is depicted with one hand on the side of § 87(2)(b) face, holding her head on the ground with one hand, and holding an arm in another hand while a second officer holds § 87(2)(b) handcuffed hands. Officers continue to restrain § 87(2)(b) on the ground as they determine how to remove her to the awaiting ambulance. In addition to the handcuffs, officers place handcuffs on § 87(2)(b) ankles and hold a clear police shield against her body. No visible action during this time is consistent with an officer hitting § 87(2)(b) head against the ground. At the 10m49s mark in PO Villalba's BWC footage, § 87(2)(b) -- who is screaming throughout -- says either "Breathe" or "Please," and "Please help me."



§ 87(2)(g)

**Allegation (G) Abuse of Authority: At § 87(2)(b) in Queens, Sergeant Jeffrey Thompson forcibly removed § 87(2)(b) to the hospital.**

It is undisputed that officers participated in the process of having § 87(2)(b) removed to a hospital.

As noted in the discussion of Allegation A through Allegation C, prior to the arrival of officers, § 87(2)(b) called 911 and reported that § 87(2)(b) had tried to jump out of a window at the residence. As further discussed, upon the arrival of the officers, § 87(2)(b) attempted to leap from the window.

Emergency Medical Technician § 87(2)(b) stated that when he arrived, he witnessed § 87(2)(b) behavior and considered her to be experiencing “excited delirium.”

Patrol Guide Procedure 221-13 states that an emotionally disturbed person is someone who appears to be conducting themselves in a manner that an officer could reasonably believe to present a danger to themselves or others. When an emotionally disturbed person has been restrained, officers are to have the emotionally disturbed person removed to a hospital.

§ 87(2)(g)

**Allegation (H) Discourtesy: En route to § 87(2)(b) in Queens, Police Officer Kevin Butler spoke discourteously to § 87(2)(b)**

In PO Butler’s second BWC file (Board Review 09; summarized in Board Review 15), PO Butler is depicted in an ambulance with § 87(2)(b) Emergency Medical Technicians § 87(2)(b) and an unidentified officer who is not depicted. At 01m20s in the recording, PO Butler has a conversation with another officer in which they discuss the places where they are seated. At 01m24s, PO Butler says, “I realized that after I fucking sat down.”

PO Butler was re-interviewed by the CCRB in connection with his use of profanity. PO Butler initially stated that he did not recall that he used profanity during § 87(2)(b) transport to the hospital. However, after watching a recording of his BWC footage, he affirmed that he made the above statement. He stated that this was “not the best choice of words” and that profanity “came out” because “tensions were high” and he had just dealt with a stressful situation involving preventing § 87(2)(b) from leaping out of a window.

NYPD Patrol Guide Procedure 200-02, entitled “Mission, Vision, and Values of the New York Police Department,” is the first procedure included in the Patrol Guide (Board Review 39). Procedure 200-02 notes that officers must pledge to “respect the dignity of each individual and render our services with courtesy and civility.”

DAO-DCT case number 2017-17005 (Board Review 40) states that in prior disciplinary cases, the NYPD has held that the use of profane remarks during stressful situations or while an officer is trying to get a chaotic situation under control does not constitute misconduct. However, the courts noted that the extension of this exception to the rule must be circumscribed to prevent the exception from swallowing the rule. The ruling went on to note that to qualify for an exception, the situation must be “so chaotic that the duty of courteous and professional behavior should be overridden by the immediate need to maintain order.”

While PO Butler articulated this incident was stressful, the stressful nature of the encounter with § 87(2)(b) had largely subsided by the time PO Butler used profanity. The physical struggle with § 87(2)(b) had concluded some time before, and § 87(2)(b) was fully restrained on a stretcher in a manner that prevented any movement. § 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

#### **Civilian and Officer CCRB Histories**

- This is the first CCRB complaint to which § 87(2)(b) has been a party (Board Review 31).
- This is the first CCRB complaint to which § 87(2)(b) has been a party (Board Review 32).

#### **Mediation, Civil and Criminal Histories**

- This case was not suitable for mediation.
  - As of April 2, 2021, the New York City Office of the Comptroller has no record of a Notice of Claim being filed regarding this incident (Board Review 33).
  - [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]
- § 87(2)(b)
- § 87(2)(b)
- § 87(2)(b)

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Squad No.: 12

Investigator: Chris Anderson SI Chris Anderson 03/16/2022  
Signature Print Title & Name Date

Squad Leader: Carlmais Johnson IM Carlmais Johnson March 17, 2022  
Signature Print Title & Name Date

Reviewer: \_\_\_\_\_  
Signature Print Title & Name Date